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Summary record of the 29th meeting
Held at Headquarters, New York, on Saturday, 23 December 2017, at 3 p.m.

Chair: Mr. Tommo Monthe ..... (Cameroon)
Chair of the Advisory Committee on Administrative and Budgetary Questions: Mr. Ruiz Massieu

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Completion of the work of the Fifth Committee at the main part of the seventy-second session of the General Assembly

The meeting was called to order at 11.50 p.m.

Agenda item 135: Programme budget for the biennium 2016–2017 (*continued*) (A/C.5/72/L.11)

Draft resolution A/C.5/72/L.11: Programme budget for the biennium 2016–2017

1. *Draft resolution* A/C.5/72/L.11 *was adopted.*

Agenda item 141: Human resources management (*continued*) (A/C.5/72/L.10)

Draft resolution A/C.5/72/L.10: Human resources management

2. *Draft resolution* A/C.5/72/L.10 *was adopted.*

Agenda item 143: United Nations common system (*continued*) (A/C.5/72/L.9)

Draft resolution A/C.5/72/L.9: United Nations common system

3. *Draft resolution* A/C.5/72/L.9 *was adopted.*

Agenda item 146: Administration of justice at the United Nations (*continued*) (A/C.5/72/L.8)

Draft resolution A/C.5/72/L.8: Administration of justice at the United Nations

4. *Draft resolution* A/C.5/72/L.8 *was adopted.*

Agenda item 147: Financing of the International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991 (*continued*) (A/C.5/72/L.7)

Draft resolution A/C.5/72/L.7: Financing of the International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991

5. *Draft resolution* A/C.5/72/L.7 *was adopted.*

Agenda item 148: Financing of the International Residual Mechanism for Criminal Tribunals (*continued*) (A/C.5/72/L.12)

Draft resolution A/C.5/72/L.12: Financing of the International Residual Mechanism for Criminal Tribunals

6. *Draft resolution* A/C 5/72/L.12 *was adopted.*

Agenda item 163: Financing of the African Union-United Nations Hybrid Operation in Darfur (*continued*) (A/C.5/72/L.14)

Draft resolution A/C.5/72/L.14: Financing of the African Union-United Nations Hybrid Operation in Darfur

7. *Draft resolution* A/C.5/72/L.14 *was adopted.*

Agenda item 165: Financing of the United Nations Mission for Justice Support in Haiti (*continued*) (A/C.5/72/L.13)

Draft resolution A/C.5/72/L.13: Financing of the United Nations Mission for Justice Support in Haiti

8. *Draft resolution* A/C.5/72/L.13 *was adopted.*

Agenda item 136: Proposed programme budget for the biennium 2018–2019 (*continued*) (A/C.5/72/L.15)

Programme budget implications relating to the proposed programme budget for the biennium 2018-2019 (A/C.5/72/L.15)

Draft decision A/C.5/72/L.15: Programme budget implications relating to the proposed programme budget for the biennium 2018–2019

9. *Draft decision* A/C.5/72/L.15 *was adopted.*

10. **Mr. Khalizov** (Russian Federation) said that his delegation had made several comments during the Committee's consideration of the financial implications of the draft resolution in section F entitled "International legally binding instrument under the United Nations Convention on the Law of the Sea on the conservation and sustainable use of marine biological diversity of areas beyond national jurisdiction". Unfortunately, those observations had not been taken into account in the final text of the draft decision. While his delegation did not object to the adoption of the draft decision, it nevertheless felt compelled to distance itself from the consensus.

11. *The meeting was suspended at 12.10 a.m. on Sunday, 24 December 2017 and resumed at 12.55 a.m.*

Draft report of the Fifth Committee (A/C.5/72/L.21)

12. **The Chair** drew attention to the draft report of the Fifth Committee on the proposed programme budget for the biennium 2018–2019 (A/C.5/72/L.21), which described the actions taken by the Committee and contained its recommendations. He invited the Committee to consider the recommendations in part III.

Draft resolution I: Questions relating to the proposed programme budget for the biennium 2018–2019 (A/C.5/72/L.16)

13. *Draft resolution I was adopted.*

14. **Mr. Awad** (Syrian Arab Republic) said that, while his delegation had joined the consensus on the draft resolution, it had reservations concerning the inclusion in section 27, Humanitarian assistance, of financial resources for the United Nations Monitoring Mechanism for the Syrian Arab Republic. The large sums allocated would be better used to increase the proportion of assistance provided through international organizations working in cooperation with the Syrian Government. The existence of such mechanisms ran counter to the Charter, since they flagrantly violated the sovereignty and independence of States and constituted intervention in their domestic affairs.

Draft resolution II: Special subjects relating to the proposed programme budget for the biennium 2018-2019 (A/C.5/72/L.17)

15. **Ms. Bartsiotas** (Controller) said that paragraph 42 of draft resolution II should read "*Approves* the budgets in the amount of 408,490,000 United States dollars for the 34 special political missions authorized by the General Assembly and/or the Security Council, including the commitment authorities for UNAMA and UNAMI, and an amount of 686,900 dollars for the share of special political missions in the budget of the Regional Service Centre in Entebbe, Uganda, for the biennium 2018–2019" and paragraph 43 should read "*Also approves* a charge of 580,030,700 United States dollars, including an amount of 853,800 dollars for the Office of the Special Envoy of the Secretary-General on Myanmar, against the provision for special political missions proposed under section 3, Political affairs, of the proposed programme budget for the biennium 2018-2019".

16. **Ms. De Armas Bonchang** (Cuba) said, with regard to the Secretary-General's report on estimates in respect of special political missions, good offices and other political initiatives authorized by the General Assembly and/or the Security Council under thematic cluster I: special and personal envoys and special advisers of the Secretary-General (A/72/371/Add.1), that while her delegation fully supported the mandate of the Special Adviser to the Secretary-General on the Prevention of Genocide, there was no legal mandate for the implementation of activities related to the responsibility to protect. The budget estimates and related narrative for the Special Adviser to the Secretary-General on the Responsibility to Protect should be removed from the budget document until the General Assembly took decisions on the concept, its implementation and scope, and other related matters.

17. She proposed that two new preambular paragraphs and two new operative paragraphs should be inserted in section XXII of draft resolution A/C.5/72/L.17. The first new preambular paragraph would read, "*Recalling* that the General Assembly has not decided on the concept of responsibility to protect, its scope, implications and possible means of implementation"; the second new preambular paragraph would read, "*Noting* that the estimates of thematic cluster I comprise narratives, functions, expected accomplishments, indicators of achievements, outputs, and other information related to the Special Adviser to the Secretary-General on the Responsibility to Protect". The first new operative paragraph would read, "*Decides* to delete all references to the activities and outputs related to the responsibility to protect, as contained in the strategic framework and the related narratives of the Office of the Special Adviser to the Secretary-General on the Prevention of Genocide"; the second new operative paragraph would read, "*Requests* the Secretary-General to issue a corrigendum to his report".

18. **Mr. Lipand** (Estonia), speaking on behalf of the European Union, requested a recorded vote on the proposed oral amendment.

Statements made in explanation of vote before the voting

19. **Mr. Escoto Gonzalez** (Nicaragua) said that it was inappropriate for the Committee to appropriate resources for the Special Adviser to the Secretary-General on the Responsibility to Protect and to include them with the resources for the Office of the Special Adviser on the Prevention of Genocide. There was no consensus in the General Assembly concerning the concept of the responsibility to protect. Therefore, his delegation would support the proposed oral amendment and urged other delegations to do likewise.

20. **Mr. Yazdani** (Islamic Republic of Iran) said that his delegation would support the proposed oral amendment.

21. **Mr. Vachon** (Canada), speaking also on behalf of Australia and New Zealand, said that, at the 2005 World Summit, world leaders had adopted by consensus a declaration that referred to the responsibility to protect. One element of the implementation of that declaration had been the establishment of the mandate of the Special Adviser to the Secretary-General on the Responsibility to Protect. The Assembly had reaffirmed its support for that mandate and approved related funding every year

thereafter. In repeatedly rejecting the oral amendment that was being proposed once again, the Committee had reflected its support for the role of the Special Advisor and acknowledged that the Committee's role was not to discuss political mandates but rather to address their budgetary and administrative aspects. The Assembly had reaffirmed broad cross-regional support for including the responsibility to protect in the agenda of its seventy-second session and would provide an appropriate forum for discussion of that subject. The three delegations for which he spoke were of the view that the Fifth Committee should focus on the areas within its purview, and therefore they encouraged all Member States to vote against the proposed oral amendment.

22. **Mr. Awad** (Syrian Arab Republic) said that the responsibility to protect was one of the most controversial subjects under discussion at the United Nations and the Assembly had not reached consensus on the definition, scope or effects of that principle, or how to implement it. His delegation considered the implementation of the concept a flagrant violation of the purposes and principles of the Charter, in particular the sovereignty and territorial integrity of States and non-interference in matters within their domestic jurisdiction. His delegation would therefore vote in favour of the oral amendment.

23. **Mr. Varankov** (Belarus) said that his delegation would support the oral amendment. The responsibility to protect must be given a legal framework and States must understand what lay behind it before the Assembly could discuss the details of the concept and its implementation. In the absence of consensus in the Assembly concerning the concept, his delegation encouraged other Member States to vote in favour of the proposed oral amendment.

24. **The Chair** said that a recorded vote had been requested.

25. *At the request of the representative of Estonia, a recorded vote was taken on the oral amendment proposed by Cuba.*

In favour:

Angola, Belarus, Bolivia (Plurinational State of), Burundi, Cuba, Democratic People's Republic of Korea, Egypt, Eritrea, Iran (Islamic Republic of), Nicaragua, Pakistan, Russian Federation, Sudan, Syrian Arab Republic, Tajikistan, Uzbekistan, Venezuela (Bolivarian Republic of).

Against:

Albania, Andorra, Argentina, Armenia, Australia, Austria, Bangladesh, Barbados, Belgium, Benin, Bosnia and Herzegovina, Botswana, Brazil, Bulgaria, Canada, Chile, Congo, Costa Rica, Côte d'Ivoire, Croatia, Cyprus, Czechia, Denmark, Estonia, Finland, France, Georgia, Germany, Ghana, Greece, Guatemala, Hungary, Iceland, Indonesia, Ireland, Israel, Italy, Japan, Jordan, Latvia, Lebanon, Liechtenstein, Lithuania, Luxembourg, Malta, Mexico, Mongolia, Montenegro, Netherlands, New Zealand, Nigeria, Norway, Paraguay, Peru, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, Slovakia, Slovenia, Spain, Sweden, Switzerland, the former Yugoslav Republic of Macedonia, Turkey, Ukraine, United Kingdom of Great Britain and Northern Ireland, United States of America, Uruguay.

Abstaining:

Algeria, Antigua and Barbuda, Bahamas, Bahrain, Bhutan, Brunei Darussalam, Burkina Faso, China, Colombia, Djibouti, Dominican Republic, Ecuador, Equatorial Guinea, Ethiopia, India, Iraq, Jamaica, Kenya, Kuwait, Liberia, Libya, Malaysia, Mali, Morocco, Nepal, Oman, Philippines, Saint Kitts and Nevis, Saudi Arabia, Serbia, Sierra Leone, Singapore, South Africa, Sri Lanka, Thailand, Timor-Leste, Tunisia, United Arab Emirates, United Republic of Tanzania.

26. *The oral amendment proposed by Cuba was rejected by 71 votes to 17, with 39 abstentions.*

27. *Draft resolution II was adopted.*

Draft resolution III: Programme budget for the biennium 2018–2019 (A/C.5/72/L.18)

28. **The Chair** drew attention to draft resolution III. Section A dealt with the budget appropriations for the biennium 2018–2019, section B with the revised income estimates for the biennium 2018–2019 and section C with the financing of appropriations for the year 2018.

29. *Draft resolution III was adopted.*

Draft resolution IV: Unforeseen and extraordinary expenses for the biennium 2018–2019 (A/C.5/72/L.19)

30. *Draft resolution IV was adopted.*

Draft resolution V: Working Capital Fund for the biennium 2018–2019 (A/C.5/72/L.20)

31. *Draft resolution V was adopted.*

32. **The Chair** invited the Committee to adopt the draft report on the proposed programme budget for the biennium 2018–2019 (A/C.5/72/L.21).

33. *The draft report of the Fifth Committee was adopted.*

Agenda item 134: Review of the efficiency of the administrative and financial functioning of the United Nations (*continued*)

Shifting the management paradigm in the United Nations (A/C.5/72/L.22)

Draft resolution A/C.5/72/L.22: Shifting the management paradigm in the United Nations

34. *Draft resolution* A/C.5/72/L.22 *was adopted.*

Questions deferred for future consideration (A/C.5/72/L.23)

Draft decision A/C.5/72/L.23: Questions deferred for future consideration

35. **The Chair** said that, with respect to the question of whether the item under section A of the draft decision should be considered at the resumed seventy-second session or the seventy-third session of the General Assembly, he took it that the Committee wished to decide on the matter following consultations to be conducted before the start of the first part of the resumed seventy-second session.

36. *It was so decided.*

37. *Draft decision* A/C.5/72/L.23 *was adopted.*

Completion of the work of the Fifth Committee at the main part of the seventy-second session of the General Assembly

38. **Ms. Pereira Sotomayor** (Ecuador), speaking on behalf of the Group of 77 and China, said that the Group had worked to ensure an adequate level of resources for the programme budget for the biennium 2018–2019 and for the full implementation of all mandated programmes and activities. Member States must provide the United Nations with the resources needed to perform its role as the key enabler of the development agenda. Strengthening the development pillar remained a priority for the Group.

39. She welcomed the Secretary-General's commitment to management reform, continued consultation with the General Assembly concerning his reform initiatives and the intergovernmental processes enshrined in the Charter and the Assembly's resolutions. An effective and efficient United Nations was key to the pursuit of a more just and equitable international order; management reform was aimed at strengthening the Organization's ability to implement its mandates fully and effectively, particularly in the field.

40. The timely submission of documentation to the Committee remained a matter of concern to the Group. The submission of some documents late in the session had increased the difficulties faced by the Committee in doing its work.

41. **Mr. Burity** (Angola), speaking on behalf of the Group of African States, welcomed the Committee's successful conclusion of its work in a spirit of goodwill, despite the challenges it had faced owing to the late issuance of documentation and the resulting time pressures.

42. **Ms. Riley** (Barbados), speaking on behalf of the Caribbean Community, said that the Community was concerned about the delay in the issuance of documents, which prevented the Committee from fulfilling its responsibilities in the prescribed timeframe. She hoped that the situation would improve in future sessions and acknowledged the Committee's commitment to making every effort to achieve consensus in decision-making. In considering the proposed programme budget for 2018-2019, the Committee had reaffirmed the importance of the SIDS Accelerated Modalities of Action (SAMOA) Pathway and the 2030 Agenda for Sustainable Development and had continued its support for issues of great importance for small island development States. She welcomed the provision of an essential impetus for the capital project at the Economic Commission for Latin America and the Caribbean.

43. While the Community welcomed the flexibility and compromise shown by delegations during the negotiations, it noted with concern the significant number of proposals that had sought to impose arbitrary reductions in the Organization's development pillar. Those proposals had targeted post and non-post resources for capacity-building initiatives and programmatic activities that supported developing countries, including small island developing States. Adequate development support should be provided to the entities, agencies and programmes of the United Nations to ensure the successful implementation of the mandates approved by the Member States.

44. It was disappointing that the Committee had not been able to complete its consideration of the proposed regional restructuring of the Office of the United Nations High Commissioner for Human Rights at the current session.

45. The Community expressed its support for the United Nations Mission for Justice Support in Haiti (MINUJUSTH) and expected that the Secretary-General, having proposed a pragmatic and economical budget for the Mission, would ensure the timely and full implementation of the Mission's mandate.

46. The Community had joined the consensus on the resolution regarding the Secretary-General's proposals for shifting the management paradigm, reflecting support for the management reform process aimed at creating an effective, efficient, fit-for-purpose Organization, and looked forward to considering the Secretary-General's comprehensive report on that matter.

47. **Ms. Aşık** (Turkey), speaking also on behalf of Australia, Indonesia, Mexico and the Republic of Korea, said that the Committee's decisions would ensure that the Organization would have the necessary resources to achieve the mandates given to it by the Member States. She welcomed the support shown for the Secretary-General's vision and his determination to move forward with management reform. Member States should remain diligent and reform should be carried out in a constructive and measured manner so that the United Nations delivered more effectively while building trust with Governments and people around the world through greater accountability and transparency.

48. **Mr. De Preter** (Observer for the European Union), speaking on behalf of the States members of the European Union, said that the Committee had made important progress by adopting resolutions on the Organization's administration and the resources required for the next biennium. The States members of the European Union endorsed the Secretary-General's vision for enhancing the management of the United Nations and looked forward to receiving his comprehensive report on the matter and the results of the decision to change the programme budget cycle.

49. **Mr. Hoshino** (Japan) said that the Committee had reached agreement on many important matters thanks to great efforts and a spirit of compromise. The consensus reached on management reform would enable the Secretary-General to act on his commitment to lead that initiative, which would underpin other reforms of the Organization aimed at achieving more effective and efficient delivery of its mandates while maintaining strict adherence to budgetary discipline.

50. The Fifth Committee might itself require reform, as the late introduction of documents, in some cases only days before the end of the session, had left only a short time for Member States to consider items. The Committee's working methods should be adjusted in order to increase efficiency, for example, by setting a deadline for the introduction of official documents around the mid-point of the session, even for items of a time-bound nature.

51. **Mr. Fu** Daopeng (China) said that the Committee had completed its arduous work thanks to the flexibility demonstrated during its consultations. The decisions taken, including on management reform and the programme budget for the biennium 2018–2019, had laid a solid foundation for the smooth functioning of the Organization over the next two years.

52. It was regrettable that there had been delays in the submission of documents, which affected the consideration of items. His delegation had grave concerns about the issue and requested the Bureau to take effective measures to improve the situation and adopt a more flexible approach in responding to a changing situation and new challenges.

53. **Mr. Feldman** (Brazil) said that his delegation welcomed the Committee's historic decision on management reform and the Secretary-General's commitment to improve the Organization's ability to deliver on its mandates. That reform was expected to improve the implementation of mandates in all the Organization's areas of activity, including the development pillar and the Sustainable Development Goals.

54. His delegation was committed to budgetary discipline and welcomed the adoption of the annual budget cycle, while also attaching importance to the oversight system based on Article 17 of the Charter. He applauded the Secretary-General's vision for management reform and his commitment to the intergovernmental process enshrined in the Charter and General Assembly resolutions; the Organization would achieve better results by following sound processes.

55. **Mr. Gohar** (Pakistan) said that the Committee had just adopted resolutions on many important agenda items, including an important shift to a one-year budget cycle. There was an urgent need for reform that would make the United Nations more responsive at a time when the scope of its activities was broadening quickly. Management reform would make for a more effective Organization able to deliver on its mandates. Consultation with Member States would be crucial as the reform process moved forward; the timing of the introduction of the Secretary-General's comprehensive report on that subject must be carefully planned in order to give the Committee ample time for its deliberations.

56. **Mr. Velázquez Castillo** (Mexico) said that his delegation welcomed the approval of the proposed programme budget for the biennium 2018–2019 and financing for special political missions, several capital projects, the Umoja enterprise resource planning system and the United Nations pension system. He welcomed the spirit of cooperation shown by Member States in approving resources for the United Nations Verification Mission in Colombia and MINUJUSTH to ensure the

pursuit of peace in the region of Latin America and the Caribbean. The adoption of a resolution on management reform was also noteworthy, indicating the Assembly's support for the Secretary-General's commitment to improving the functioning of the United Nations.

57. **Ms. Norman-Chalet** (United States of America) said that the current session had been an inflexion point for the Organization during which the Committee members had demonstrated their commitment to budgetary discipline and reform. An important step had been taken towards putting the Organization on a sound and sustainable fiscal path, with an approved budget level of $5.396 billion, a reduction from the level of resources for the biennium 2016–2017. That decision represented an effort to continue finding efficiencies and eliminating redundancies across all parts of the budget. Special political missions had been provided with funding that would advance the political process in Yemen, Colombia, Afghanistan and elsewhere. The budgets of peacekeeping missions in Haiti and Darfur had been adjusted following a review of their mandates.

58. The Committee had endorsed the Secretary-General's vision for management reform and had taken steps to simplify the budget process that would enable more prudent management and accountability. It had also acknowledged the importance of fully implementing current reform efforts such as the implementation of Umoja and flexible workplace strategies. The Committee had examined the United Nations oversight structures whose purpose was to promote accountability and prevent fraud and corruption. It had bolstered the independence of the Office of Internal Oversight Services and the internal justice system, and had called for continued review of the whistle-blower protection policy. Lastly, the Committee had unanimously affirmed the United Nations common system and the mandate of the International Civil Service Commission to govern staff compensation, including through recommendations to lower or raise benefits as required. All Committee members wanted to see the United Nations at its best and to help it effectively respond to the complex challenges of the time.

59. **Ms. Anselmina** (Paraguay) paid tribute to the hard work of the Committee members and the spirit of cooperation that had reigned during their deliberations.

60. **The Chair** declared that the Committee had completed its work at the main part of the seventy-second session of the General Assembly.

The meeting rose at 2.30 a.m. on Sunday, 24 December 2017.